IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION

Civil Action No. 5:20-cv-00010-KDB-DSC

SCOTT ALMINIANA, et al.,)
Plaintiffs,))
	DEFENDANT'S 12(B)(1) MOTION TO
v.) DISMISS AND COMPEL ARBITRATION OF
) PLAINTIFFS SCOTT ALMINIANA AND
LOWE'S HOME CENTERS, LLC,) STACEY PFLUG'S CLAIMS
)
Defendant.)
)
)
)

Pursuant to the Federal Arbitration Act ("FAA"), 9 U.S.C. § 1 *et seq.*, and Federal Rule of Civil Procedure 12(b)(1), Defendant Lowe's Home Centers, LLC ("Lowe's") hereby respectfully moves the Court for an order compelling Plaintiffs Scott Alminiana and Stacey Pflug to arbitrate their claims on an individual basis in accordance with the valid and enforceable arbitration agreements they signed, and dismissing them as plaintiffs from this case.

Pursuant to Local Civil Rule 7.1(b), Defendant's counsel attempted to obtain concurrence in the relief sought in this motion, but was unable to do so, thereby necessitating that this motion be filed.

Dated: April 27, 2020

Respectfully submitted,

/s/ Jason C. Schwartz

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2020, I electronically filed the foregoing document with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

/s/ Jason C. Schwartz

Attorney for Defendant